

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Fern Street Rose Garden

Project No.: 20250304

Project Manager: Darin Smith, TERR – Chemewa

Location: Washington County, OR

Categorical Exclusion Applied (from 10 C.F.R. Part 1021): B4.9 Multiple use of powerline rights-of-way

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to allow a private citizen to install a non-irrigated rose garden within BPA's fee-owned right-of-way on the north side of SW Fern Road in Tualatin, Oregon. The purpose of the action would be to prevent blackberry encroachment on the sidewalk and provide enjoyment for the surrounding residential community. Within a 20- by 100-foot area, the landowner would manually remove vegetation, plant roses, and lay down mulch. Equipment used would be limited to shovels for vegetation removal and planting. No chemical treatment would be used, and no permanent structures would be installed. BPA authorizes the use of and manages its fee-owned lands pursuant to its authority under sections 2(e) and 2(f) of the Bonneville Project Act. 16 U.S.C. § 832a(e)-(f).

Findings: In accordance with Section 1021.102 of the Department of Energy's (DOE) National Environmental Policy Act (NEPA) Regulations (57 FR 15144, Apr. 24, 1992, as amended at 61 FR 36221-36243, Jul. 9, 1996; 61 FR 64608, Dec. 6, 1996; 76 FR 63764, Nov. 14, 2011; 89 FR 34074, April 30, 2024; 90 FR 29676, July 3, 2025 [Interim Final Rule]) and *DOE National Environmental Policy Act (NEPA), Implementing Procedures* (dated June 30, 2025), BPA has determined the following:

- 1) The proposed action fits within a class of actions listed in Appendix B of 10 CFR 1021;
- 2) The proposal has not been segmented to meet the definition of a categorical exclusion; and
- 3) There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental effects of the proposal (see attached Environmental Evaluation).

Based on these determinations, BPA finds that the proposed action is categorically excluded from further NEPA review.¹

¹ BPA is aware that the Council on Environmental Quality (CEQ), on February 25, 2025, issued an interim final rule to remove its NEPA implementing regulations at 40 C.F.R. Parts 1500–1508. Based on CEQ guidance, and to promote completion of its NEPA review in a timely manner and without delay, in this CX BPA is voluntarily relying on the CEQ regulations, in addition to the interim final rule to revise DOE NEPA regulations implementing NEPA at 10 C.F.R. Part 1021 and NEPA Implementing Procedures (dated June 30, 2025), to meet its obligations under NEPA, 42 U.S.C. §§ 4321 et seq.

Jillian Cosgrove
Environmental Protection Specialist

Concur:

Katey C. Grange
NEPA Compliance Officer

Attachment(s): Environmental Checklist

Categorical Exclusion Environmental Evaluation

This checklist documents environmental considerations for the proposed project and explains why the project would not have the potential to cause significant impacts on environmentally sensitive resources and would meet other integral elements of the applied categorical exclusion.

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Project Site Description

The project site would be located within BPA's fee-owned right-of-way in a residential area of Tualatin, Oregon (Township 2 South, Range 1 West, Section 9). The BPA environmental lead visited the site on June 17, 2025. Vegetation in the action area was dominated by Himalayan blackberry (*Rubus armeniacus*) and included native and non-native grasses and forbs. No lupines (*Lupinus sp.*), milkweed (*Asclepias sp.*), nor Willamette daisy (*Erigeron decumbens*) were present. Bumblebees (*Bombus sp.*), solitary bees, and European honeybees (*Apis mellifera*) were found foraging on the blackberry flowers. There are no wetlands nor waterbodies present.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No with Conditions

Explanation: On September 15, 2025, BPA determined that the implementation of the project would result in no effects to historic properties ([SHPO Case # 25-2207]; [BPA Project # OR 2025 086]) and initiated consultation under National Historic Preservation Act (NHPA) Section 106. Consulting parties included the Confederated Tribes of Siletz, the Cowlitz Indian Tribe, the Confederated Tribes of Grand Ronde, and the Oregon State Historic Preservation Office (SHPO). The 30-day response period expired on October 15, 2025, with no comments received.

Notes:

- In the unlikely event that cultural material is inadvertently encountered during the implementation of this project, BPA would require that work be halted in the vicinity of the finds until they can be inspected and assessed by BPA and in consultation with the appropriate consulting parties.

2. Geology and Soils

Potential for Significance: No

Explanation: Soils may be temporarily disturbed while removing blackberry bushes, but soil stability would be restored by subsequent plantings and mulching. The maximum depth of soil disturbance would be approximately 16 inches. The project would have an insignificant impact on geology and soils.

3. Plants (including Federal/state special-status species and habitats)

Potential for Significance: No

Explanation: The proposed action would remove up to about 2,000 square feet (0.05 acre) of native and non-native vegetation and replace it with a mulched rose garden. There are no special-status species or habitats present in the action area.

4. Wildlife (including Federal/state special-status species and habitats)

Potential for Significance: No

Explanation: The proposed action involves the removal of plants which were observed to provide foraging habitat for bees. Two pollinator species currently proposed for listing under the ESA could potentially use the site (*Bombus stuckleyi* and *Danaus plexippus*). Breeding habitat for *D. plexippus* (i.e. *Asclepias* sp.) was not present at the site, though social hosts for *B. stuckleyi* (*Bombus* spp.) were present. While the project would remove foraging habitat for these species, the subsequent planting of roses would restore some functionality to foraging habitat. The temporary removal of 0.05-acre of foraging habitat would not jeopardize these species. The project would have no effect on any other ESA-listed or state special-status species within range of the project, and there is no designated critical habitat present. Non-sensitive wildlife that may be in the area are accustomed to human presence due the residential and suburban land uses in the area. Therefore, the proposed action would have an insignificant impact on wildlife.

5. Water Bodies, Floodplains, and Fish (including Federal/state special-status species, ESUs, and habitats)

Potential for Significance: No

Explanation: There are no water bodies, floodplains, nor fish in the project area.

6. Wetlands

Potential for Significance: No

Explanation: There are no wetlands in or near the project area.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: The proposed action would have no impact on groundwater or aquifers.

Notes:

- The applicant must notify BPA and obtain environmental approval prior to applying chemicals (e.g. herbicides or pesticides) on BPA land.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: The project area would continue to be managed as a BPA transmission line right-of-way. There are no specially-designated areas in the project area.

9. Visual Quality

Potential for Significance: No

Explanation: While the replacement of blackberries with roses would represent a visual change, the work would result in a visual improvement to the area.

10. Air Quality

Potential for Significance: No

Explanation: The project would have an insignificant impact on air quality because no motorized or gas-powered equipment would be used.

11. Noise

Potential for Significance: No

Explanation: The project would not produce noise above ambient conditions.

12. Human Health and Safety

Potential for Significance: No

Explanation: The project would not impact human health and safety.

Evaluation of Other Integral Elements

The proposed project would also meet conditions that are integral elements of the categorical exclusion. The project would not:

Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders.

Explanation: N/A

Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators) that are not otherwise categorically excluded.

Explanation: N/A

Disturb hazardous substances, pollutants, contaminants, or CERCLA excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases.

Explanation: N/A

Involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.

Explanation: N/A

Landowner Notification, Involvement, or Coordination

Description: The project would occur on BPA fee-owned land and would not require landowner coordination.

Based on the foregoing, this proposed project does not have the potential to cause significant impacts to any environmentally sensitive resource.

Signed:

Jillian Cosgrove
Environmental Protection Specialist